

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RANDY SOWELL,

Plaintiff,

-against-

23 **CIVIL 5346** (LTS)

JUDGMENT

THE NEW YORK CITY DEPARTMENT OF
HOMELESS SERVICES,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated October 18, 2024, Plaintiff's claims against New York City Department of Homeless Services are dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim. To the extent Plaintiff sought to bring claims of excessive force and retaliation against shelter staff and DHS police, these claims are dismissed without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: New York, New York

October 22, 2024

DANIEL ORTIZ

Acting Clerk of Court

BY:

Negam Dubal

Deputy Clerk